

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY 'S DOCKET NUMBER

15280-3721US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
09/763,393INTERNATIONAL APPLICATION NO.
PCT/US99/20046INTERNATIONAL FILING DATE
31 August 1999PRIORITY DATE CLAIMED
01 September 1998TITLE OF INVENTION PAGE-4, AN X-LINKED GAGE-LIKE GENE EXPRESSED IN NORMAL AND
NEOPLASTIC PROSTATE, TESTIS AND UTERUS, AND USES THEREFOR

APPLICANT(S) FOR DO/EO/US PASTAN, Ira; BRINKMANN, Ulrich; VASMATZIS, George; LEE, Byungkook

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

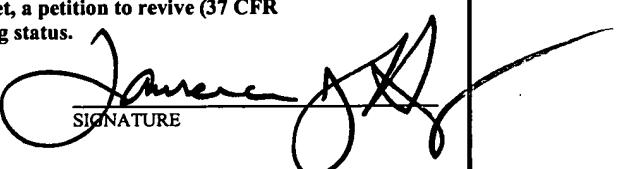
1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 36 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (4 counterpart declarations)
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
14. A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. A second copy of the published international application under 36 U.S.C.
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

copy of Notification of Missing Requirements

Communication under 37 C.F.R. 1.821-1.825

I/S Application no. (if known, see 37 CFR 1.5) 09/763,393	INTERNATIONAL APPLICATION NO. PCT/US99/20046	ATTORNEY'S DOCKET NUMBER 15280-3721US		
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY		
BASIC NATIONAL FEE (37 CFR 1.492(A) (1) – (5)):				
Neither international preliminary examination fee (37 CFR 1.492) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO but International Search report prepared by the EPO of JPO \$860.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)–(4) \$690.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)–(4) \$100.00				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$18.00	\$
Independent claims	- 3 =		x \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 270.00	\$
TOTAL OF ABOVE CALCULATIONS =		\$130.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		+	\$	
SUBTOTAL =		\$130.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$		
TOTAL NATIONAL FEE =		\$130.00		
Fee for recording the enclosed assignment (37 CFR 1.2(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+	\$	
6/03/2001 HNGUTEH 00000157 201430 09763393		TOTAL FEES ENCLOSED =	\$130.00	
2 FC:154 130.00 CH		Amount to be refunded:	\$	
		charged:	\$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 20-1430 in the amount of \$130.00 to cover the above fees.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Laurence J. Hyman				
Townsend and Townsend and Crew LLP				
Two Embarcadero Center, 8th Floor				
San Francisco, CA 94111				
 SIGNATURE				
<u>Laurence J. Hyman</u> NAME				
<u>35.551</u> REGISTRATION NUMBER				

518 Rec'd PCT/PTO 30 JUL 2001

EXPRESS MAIL NO.: EL827153262US

DATE OF DEPOSIT: July 30, 2001

Attorney Docket No.: 15280-3721US

Enclosures:

Petition for Extension of Time under 37 CFR 1.136(a)
Form PTO 1390
Declaration and Power of Attorney
copy of Notification of Missing Requirements

09/763393

09/763,393		 U.S. APPLICATION NO.	15200-3721US
		TESTAN	FIRST NAMED APPLICANT
			ATTY-DOCKET NO.

LAURENCE J HYMAN
TWO EMBARCADERO CENTER 8TH FLOOR
SAN FRANCISCO CA 94111

5071

INTERNATIONAL APPLICATION NO./2001-6

LA. FILING DATE 03/01/98 PRIORITY DATE 03/01/98

03/19/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.
 Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.
 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed _____ and _____
 Information Disclosure Statement(s) filed _____ and _____
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____
 Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the International Search Report and copies of the references cited therein.
 Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(l)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(c)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation

PTO-875

FORM PCT/DO/EO/905 (December 1997)

Lamont H. Hader

Telephone: (703) 305-8688
National Stage Processing

Response Due: 4/19/01 2/19/01
Abandon 8/19/01 2/19/01

FORWARDED TO APPLICANT
U.S. PATENT & TRADEMARK OFFICE
01 MAR 23 2001 10:11:29

RECEIVED

BEST AVAILABLE COPY